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Fifty-fifth year

Identical letters dated 24 May 2000 from the Permanent Representative of Kenya to the United Nations addressed to the President of the General Assembly and the President of the Security Council

I have the honour to transmit herewith the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa, adopted in Nairobi on 15 March 2000 (see annex), and request that the present letter and its annex be circulated as a document of the General Assembly, under agenda items 76 (f) and (o), and of the Security Council.

(*Signed*) Fares M. **Kuindwa**, EGH, EBS
Ambassador
Permanent Representative

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Annex to the identical letters dated 24 May 2000 from the Permanent Representative of Kenya to the United Nations addressed to the President of the General Assembly and the President of the Security Council

Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa

We the Ministers for Foreign Affairs of the countries of the Great Lakes Region and Horn of Africa namely, Burundi, Democratic Republic of Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Sudan, Uganda and United Republic of Tanzania, meeting at Nairobi on 12 – 15 March, 2000 on the occasion of the Great Lakes Great Region and the Horn of Africa Conference on the Proliferation of Small Arms pursuant to UNGA resolutions regarding the convening of the United Nations Conference on the illicit trade in Small Arms and Light Weapons in all its aspects in June - July 2001 and in particular A/C.1/54/L.24 /Rev. 1 of December, 1999, as well as the African common position contained in the OAU decision AHG/DEC 137(LXX) adopted by the OAU summit in Algiers in July 1999, fully share the growing international concern that easy availability of illicit small arms and light weapons escalates conflicts and undermines political stability and have devastating impacts on human and state security.

- ***Re-affirming*** the inherent right of States to individual or collective self -defence as recognised in Article 51 of the United Nations Charter;

- ***Gravely*** concerned with the problem of the proliferation of illicit small arms and light weapons in the Great Lakes and Horn of Africa Region and the devastating consequences they have had in sustaining armed conflict and abetting

terrorism, cattle rustling and other serious crimes in the region;

- ***Recognising*** that the problem derives mainly from past and on-going armed conflicts in the region, as well as from illicit trade and terrorist activities by which these arms are infiltrated into the region;

- ***Recognising*** also that the inadequate capacity of States in the region to effectively control and monitor their borders, poor and sometimes open immigration and customs controls, as well as mass movement of armed refugees across national borders in certain countries, have greatly contributed to the proliferation of illicit small arms and light weapons;

- ***Acknowledging*** that the problem of the proliferation of illicit small arms and light weapons in the region has been exacerbated by internal political strife and extreme poverty, and that a comprehensive strategy to arrest and deal with the problem must include putting in place structures and processes to promote democracy, the observance of human rights, the rule of law and good governance as well as economic recovery and growth;

- ***Underlining*** that a sustainable solution to the problem requires active and concerted regional effort as well as international understanding and support;

- ***Considering*** the international concern regarding the problem of illicit small arms and light weapons;

- ***Acknowledging*** the work of the United Nations, the Organisation of African Unity, the European Union, the Organisation of American States as well as the efforts in West and Southern Africa to address problems associated with illicit small arms and light weapons;

- ***Considering*** also the impact on crime and security in the sub-region exacerbated by the problem of illicit small arms and light weapons which emanate from outside the region;

- ***Appalled*** by the devastating effects of armed conflicts particularly on women and children, and by the unconscionable exploitation of children in armed conflicts;

- ***Considering*** that peace, stability, and security are prerequisites for sustainable development in the sub-region; and that the prevailing conflicts hinder the prospects of realising the full economic potential of this geo-strategically important region;

- ***Recognising*** the relationship between security and development and the need to develop comprehensive and effective peace-building and other measures aimed at reducing the resort to arms and to help curb the problem of illicit small arms and light weapons within the region;

- ***Acknowledging*** also that the resolution of on-going conflicts in the region requires the nurturing of environments in which root causes of conflicts can be adequately addressed and durable stability established;

- ***Emphasising*** the need to pursue negotiated solutions to conflicts so as to ensure their peaceful resolution, to promote a culture of peace, and to encourage education and awareness raising programmes on the problem of illicit small arms, involving all sectors of society;

- ***Conscious*** of the need for effective controls of arms transfers by suppliers outside the region, including measures against transfers of surplus arms to prevent the problem of illicit small arms;

- ***Acknowledging*** the difficulties in addressing the question of illicit trade and accumulation of illicit small arms and light weapons due to different situations obtaining in the respective countries;

- ***Welcoming*** the Nairobi Initiative on Small Arms and Light Weapons for State and human security as a significant step in addressing the problem of illicit small arms and light weapons and their socio- economic and political impacts on the people of the region;

- ***Having*** deliberated in depth on the subject, Decide to:

    i) Rededicate ourselves to continue our efforts towards the peaceful resolution of the conflicts in the region and towards this end, call for genuine and serious commitment of all parties concerned as well as the international community

ii) Seize this opportunity to comprehensively address the problem of the proliferation of illicit small arms and light weapons in the sub-region;

iii) Join efforts to address the problem, recognising the need for information sharing and co-operation in all matters relating to illicit small arms and light weapons including the promotion of research and data collection in the region and encouraging co-operation among governments and civil society;

iv) Encourage a concrete and co-ordinated agenda for action for the sub-region to promote human security and ensure that all States have in place adequate laws, regulations and administrative procedures to exercise effective control over the possession and transfer of small arms and light weapons through measures inter alia to:

- Pursue positive policies and measures to create social, economic and political environments to reduce the resort to arms by individuals and communities;

- Urge the strengthening, and where they do not exist, the adoption of national laws and regulations and control mechanisms to govern civilian possession of arms;

- Call on States to co-ordinate and publicise their policies, regulations and laws relating to possession of arms by civilians;

- Urge source countries to ensure that all manufacturers, traders, brokers, financier, and transporters of small arms and light weapons are regulated through licensing;

- Urge also the States in the sub-region to monitor and effectively control all transactions relating to small arms and light weapons to licensed entities;

- Call on States to strengthen sub-regional co-operation among police, intelligence, customs and border control officials in combating the illicit circulation and trafficking in small arms and light weapons and suppressing criminal activities relating to the use of these weapons;

- Call upon States to strengthen or establish national mechanisms to deal with the problem of illicit small arms as well as to implement the Nairobi Declaration and invite them to hold regular meetings in this regard;

- Invite the UN in co-operation with the OAU and other regional and international organisations to assist countries of the region to carry out a detailed study on the problem of illicit arms within the region and to draw up appropriate programmes for the collection and destruction of illicit small arms and

light weapons. The States Parties to this Declaration will define the parameters of the study;

v) Recognizing that the effective implementation of this declaration by individual states require the co-operation of the United Nations, international organisations, regional organisations, as well as the participation by civil society in preventing and reducing the problem of illicit small arms and light weapons, we further decide to:

- Appeal for support of other sub-regions in the continent as well as the international community in order to effectively implement the measures agreed upon in this Declaration;

- Appeal also for increased international support for programmes and initiatives that advance human security and promote conditions conducive to long term peace, stability and development in the sub-region;

- Call for effective implementation of the relevant decisions of the United Nations, the Organisation of African Unity and other regional arrangements to address the problem of illicit small arms and light weapons in the sub-region;

- Appeal for financial, technical and political support from the international community for the effective implementation of this Declaration;

- Designate the Government of Kenya to co-ordinate the follow-up to the Nairobi Declaration in consultation with States' respective national mechanisms dealing with the problem of illicit arms and light weapons.

Done at Nairobi this 16th **Day of** March, **2000**

NKEOHIMANA

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FOR THE REPUBLIC OF BURUNDI

Moise KABAKA

FOR THE DEMOCRATIC REPUBLIC OF CONGO

FOR THE REPUBLIC OF DJIBOUTI

Tesfaye Tesso

FOR THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

FOR THE STATE OF ERITREA

B. A. GODANA
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FOR THE REPUBLIC OF KENYA

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FOR THE REPUBLIC OF RWANDA

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FOR THE REPUBLIC OF THE SUDAN

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FOR THE UNITED REPUBLIC OF TANZANIA

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FOR THE REPUBLIC OF UGANDA